



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-13-00097-CR

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WILLIAM DALE CULPEPPER, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 76th District Court  
Camp County, Texas  
Trial Court No. 05-086

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Before Morriss, C.J., Carter and Moseley, JJ.  
Memorandum Opinion by Justice Carter

## MEMORANDUM OPINION

William Dale Culpepper attempts to appeal an order denying his motion for forensic DNA testing. Culpepper's motion for forensic DNA testing was filed June 25, 2012, and the order denying that motion was signed July 9, 2012. Culpepper's notice of appeal was filed May 22, 2013, and the clerk's record was filed with this Court on May 31, 2013. The issue before us is whether Culpepper perfected his appeal. We conclude that he did not and dismiss the appeal for want of jurisdiction.

A timely notice of appeal is necessary to invoke this Court's jurisdiction. *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996). Pursuant to Rule 26 of the Texas Rules of Appellate Procedure, Culpepper had thirty days after the date the order denying his motion for forensic DNA testing was signed in which to timely file a notice of appeal. *See* TEX. R. APP. P. 26.

The order from which Culpepper appeals was signed July 9, 2012, and Culpepper's notice of appeal was filed May 22, 2013, over ten months after the order was signed. Consequently, Culpepper has failed to perfect his appeal. *See id.* Accordingly, we dismiss the appeal for want of jurisdiction.

Jack Carter  
Justice

Date Submitted: June 18, 2013  
Date Decided: June 19, 2013.

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